

December 17, 1982

CONGRESSIONAL RECORD — HOUSE

H 10229

Nothing in this section shall be construed to contravene any applicable State law.

AUDIT OF FINANCIAL TRANSACTIONS

SEC. 11. The first section of the Act entitled "An Act to provide for audit of accounts of private corporations established under Federal law", approved August 30, 1964 (38 U.S.C. 1101), is amended by adding, at the end thereof the following:

"(59) Former Members of Congress."

ANNUAL REPORT

SEC. 12. The corporation shall report annually to the Congress concerning the activities of the corporation during the preceding fiscal year. Such annual report shall be submitted at the same time as is the report of the audit required by section 11 of this Act. The report shall not be printed as a public document.

RESERVATION OF RIGHT TO AMEND OR REPEAL CHARTER

SEC. 13. The right to alter, amend, or repeal this Act is expressly reserved to the Congress.

DEFINITION OF "STATE"

SEC. 14. For purposes of this Act, the term "State" includes the District of Columbia, the Commonwealth of Puerto Rico, and the territories and possessions of the United States.

TAX-EXEMPT STATUS

SEC. 15. The corporation shall maintain its status as an organization exempt from taxation as provided in the Internal Revenue Code. If the corporation fails to maintain such status, the charter granted hereby shall expire.

TERMINATION

SEC. 16. If the corporation shall fail to comply with any of the restrictions or provisions of this Act the charter granted hereby shall expire.

Mr. SAM B. HALL, JR. Mr. Speaker, I ask unanimous consent that the bill may be considered as read and printed in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. SAM B. HALL, JR. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the bill just passed.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

CONFERENCE REPORT ON H.R. 6946, FALSE IDENTIFICATION CRIME CONTROL ACT OF 1982

Mr. HUGHES. Mr. Speaker, I call up the conference report on the bill (H.R. 6946) to amend title 18 of the United States Code to provide penalties for certain false identification related crimes, and ask unanimous consent for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

Mr. HYDE. Mr. Speaker, reserving the right to object, and I certainly will not object because this is very important legislation, but I yield to the chairman of the subcommittee, the gentleman from New Jersey (Mr. HUGHES) for an explanation.

Mr. HUGHES. I thank the gentleman for yielding.

Mr. Speaker, H.R. 6946, the False Identification Crime Control Act of 1982 (H. Rept. 97-802) passed the House on September 14. On October 1, The Senate passed the bill with several amendments to add additional offenses and to make technical corrections.

The conference report represents the culmination of many years of labor on this issue. In 1974 the Federal Advisory Committee on False Identification began to examine the full extent of this problem. Their report in 1976 found that false identification is a major factor facilitating drug smuggling, illegal immigration, flight from justice, frauds against government and business and the movement of terrorists. The estimated burden of losses was then estimated to be \$16 billion per year.

This bill takes several important steps toward stemming this problem. Primarily, the bill makes it a Federal offense to counterfeit or to transfer counterfeit or stolen identification documents that have been issued by Federal, State, and local government. The counterfeiting of official driver's licenses and birth certificates would be a Federal offense and plugs a loophole not covered by the various States.

The conference report differs from the House bill by providing that the possession of stolen or false identification documents that have been or appear to have been issued by the United States would be an offense if the possessor knows that the document was stolen or counterfeit.

The conference report also includes a provision that will have a salutary effect on the problem of drunken driving and underage drinking. The conference report would make it a misdemeanor for a person in the business of selling private identification documents to send through the mail or in interstate commerce, an ID that carries a birth date that does not bear a clearly imprinted disclaimer that it is "not a government document." This will make it much easier for sellers of alcoholic beverages to avoid being fooled by unfamiliar, unofficial identification.

I want to congratulate our colleague HENRY HYDE who has diligently and capably worked on this issue for many years. He has sponsored legislation in three Congresses and testified before the Subcommittee on Crime and the Senate Judiciary Committee to urge enactment of this legislation.

Mr. Speaker, I also want to congratulate the ranking minority

member of our subcommittee, the gentleman from Michigan, HAL SAWYER, who also worked tirelessly on this bill, as well as the ranking minority member of the full Committee on the Judiciary, the gentleman from Illinois, BOB MCCLORY, and our colleague, the gentleman from New Jersey, PETER RODINO, for his work on the legislation.

Mr. HYDE. Mr. Speaker, further reserving the right to object, I rise in strong support of the conference report on H.R. 6946, the False Identification Crime Control Act of 1982. This bill represents the culmination of the efforts of myself and others who have been concerned about the staggering numbers of false identification cards which are sold and used for illegal purposes. I want to commend the gentlemen from New Jersey (Mr. HUGHES), the chairman of the subcommittee, and the ranking Republican, the gentleman from Michigan (Mr. SAWYER) for their devotion to this project. As a result of our combined efforts, this important legislation has at long last seen the light of day.

As my colleagues are aware, this legislation had its inception with a Justice Department report issued 6 years ago. The Federal Advisory Committee on False Identification, after a thorough investigation, documented a flood of false identification documents used in this country to facilitate criminal activities of all sorts, including terrorism, organized crime, and illegal immigration. The committee outlined the classic "paper trip" whereby a certified copy of the birth certificate of a deceased person is used as a "breeder document" to acquire a driver's license, social security card, and other documents, thus providing the evidence to support the creation of a new identity.

Since the FACFI Report was issued, the problems it identified have worsened in light of the increased number of illegal aliens, international terrorists and drug-smuggling rings in recent years. Federal authorities have discovered that false identification is a common device used by currency counterfeiters and firearms smugglers. Furthermore, it enables young people to circumvent the laws establishing minimum drinking ages. The consequences have been devastating in terms of young lives lost at the hands of drunk drivers.

H.R. 6946 addresses the clear Federal interest in this area by making it an offense to produce false identification documents, transfer such documents, to possess them under certain circumstances such as with an intent to use them unlawfully or to defraud the United States. The punishment for the production or transfer of the most useful documents, such as Federal ID's and State driver's licenses are substantial in the hopes that they will deter those who seek to profit from this scandalous business. I believe that this

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legislation will have a substantial adverse impact on the proliferation of false identification documents in this country and, as a result, it will make it more difficult for underage drinkers, terrorists, and drug traffickers to violate the law.

Mr. Speaker, as the primary proponent of false identification legislation during the last three Congresses, I want to express my sincere appreciation to several people who have been instrumental in bringing this legislation to the floor today. Of course, as I have mentioned, the chairman and ranking Republican on the subcommittee have provided great leadership and direction on this issue. The subcommittee staff, including Hayden Gregory, Eric Sterling, and Deborah Owen, have worked long and hard on this matter as well. Fran Westner of my office has been tireless in her efforts over the last 6 years to generate support for this much needed bill. Special thanks are due Francis Knight, former director of the Passport Division, who first brought the need for this legislation to my attention over 5 years ago.

Mr. Speaker, again I urge my colleagues to vote in favor of this important conference report.

(Mr. HYDE asked and was given permission to revise and extend his remarks.)

Mr. HYDE. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. HUGHES. Mr. Speaker, I ask unanimous consent that the statement of the managers be read in lieu of the report.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

The Clerk read the statement.

(For conference report and statement see prior proceedings of the House today.)

The SPEAKER pro tempore. Without objection, the previous question is ordered on the conference report.

There was no objection.

The SPEAKER pro tempore. The question is on the conference report.

The conference report was agreed to.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. HUGHES. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the conference report just agreed to.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

□ 2140

IMMIGRATION REFORM AND CONTROL ACT OF 1982

Mr. MAZZOLI. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 7357) to revise and reform the Immigration and Nationality Act, and for other purposes.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Kentucky (Mr. MAZZOLI).

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. LUJAN. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 148, nays 113, not voting 172, as follows:

[Roll No. 480]

YEAS—148

| | | |
|----------------|-------------|---------------|
| Akaka | Gaydos | Minish |
| Albosta | Geldenson | Mitchell (MD) |
| Alexander | Gibbons | Moorhead |
| Andrews | Gilman | Murtha |
| Anthony | Gingrich | Natcher |
| Barnard | Glickman | Nowak |
| Barnes | Gore | Oberstar |
| Bedell | Gregg | Obey |
| Bennett | Guarini | Panetta |
| Bereuter | Gunderson | Parris |
| Bevill | Hall, Ralph | Pease |
| Boggs | Hall, Sam | Pepper |
| Boner | Hamilton | Perkins |
| Brinkley | Harkin | Petri |
| Butler | Howard | Porter |
| Carney | Hoyer | Rahall |
| Cheney | Hubbard | Rangel |
| Clinger | Hughes | Regula |
| Conable | Hutto | Rinaldo |
| Conte | Hyde | Rodino |
| Corcoran | Jeffords | Roemer |
| Coughlin | Jenkins | Roukema |
| Coyne, William | Jones (OK) | Sabo |
| Crane, Daniel | Kastenmeier | Sawyer |
| Daniel, R. W. | Kennelly | Scheuer |
| Daschle | Kildee | Schumer |
| Daub | Kindness | Shamansky |
| Derwinski | Lagomarsino | Sharp |
| Dicks | Latta | Shaw |
| Dingell | Levitas | Simon |
| Donnelly | Lewis | Smith (IA) |
| Dougherty | Livingston | Snowe |
| Dowdy | Lott | Snyder |
| Downey | Lowery (CA) | Solarz |
| Dreier | Lowry (WA) | Stratton |
| Dwyer | Lungren | Studds |
| Dyson | Madigan | Tauke |
| Eckart | Martin (IL) | Vento |
| Edwards (AL) | Mavroules | Volkmer |
| Edwards (CA) | Mazzoli | Wampler |
| Erlenborn | McClary | Watkins |
| Fary | McCollum | White |
| Fenwick | McCurdy | Whitley |
| Fish | McEwen | Wilson |
| Flippo | McGrath | Wolpe |
| Foglietta | McHugh | Wyden |
| Ford (MI) | Mica | Wylie |
| Fowler | Michel | Zablocki |
| Frenzel | Miller (CA) | |
| Frost | Miller (OH) | |

NAYS—113

| | | |
|----------|-------------|-----------------|
| Anderson | Bailey (MO) | Brooks |
| Archer | Benedict | Brown (CA) |
| Aspin | Bliley | Brown (CO) |
| AuCoin | Bouquard | Broyhill |
| Badham | Bowen | Burton, Phillip |

| | | |
|--------------|---------------|---------------|
| Byron | Gramm | Murphy |
| Campbell | Gray | Myers |
| Chappell | Hall (IN) | Nelligan |
| Clay | Hammerschmidt | Oakar |
| Coelho | Hance | Patman |
| Coleman | Hansen (ID) | Patterson |
| Conyers | Hansen (UT) | Paul |
| Courter | Hartnett | Quillen |
| Craig | Hatcher | Roberts (KS) |
| Daniel, Dan | Heckler | Robinson |
| Dannemeyer | Hightower | Roth |
| de la Garza | Hopkins | Roybal |
| Dellums | Huckaby | Sensenbrenner |
| Dickinson | Hunter | Shelby |
| Dixon | Jones (TN) | Shumway |
| Dornan | Kazen | Siljander |
| Duncan | Kogovsek | Skeen |
| Edgar | Kramer | Smith (NE) |
| Edwards (OK) | Leath | Smith (NJ) |
| Emerson | LeBoutillier | Smith (OR) |
| English | Leland | Solomon |
| Erdahl | Loeffler | Spence |
| Evans (IA) | Lujan | St Germain |
| Evans (IN) | Marlenee | Staton |
| Fazio | Marriott | Stenholm |
| Fiedler | Martin (NY) | Stump |
| Fithian | Martinez | Taylor |
| Ford (TN) | Matsui | Thomas |
| Fountain | McDonald | Walker |
| Garcia | Molinari | Weber (OH) |
| Ginn | Mollohan | Wolf |
| Gonzalez | Montgomery | Young (MO) |
| Goodling | Morrison | |

NOT VOTING—172

| | | |
|----------------|---------------|---------------|
| Addabbo | Green | Railsback |
| Annunzio | Grisham | Ratchford |
| Applegate | Hagedorn | Reuss |
| Ashbrook | Hall (OH) | Rhodes |
| Atkinson | Hawkins | Ritter |
| Bafalis | Hefner | Roberts (SD) |
| Bailey (PA) | Heftel | Roe |
| Beard | Hendon | Rogers |
| Bellenson | Hertel | Rose |
| Bethune | Hiler | Rosenthal |
| Blaggi | Hillis | Rostenkowski |
| Bingham | Holland | Rousselot |
| Blanchard | Hollenbeck | Rudd |
| Boland | Holt | Russo |
| Bolling | Horton | Santini |
| Bonior | Ireland | Savage |
| Bonker | Jacobs | Schneider |
| Breaux | Jeffries | Schroeder |
| Brodhead | Johnston | Schulze |
| Broomfield | Jones (NC) | Seiberling |
| Brown (OH) | Kemp | Shannon |
| Burgener | LaFalce | Shuster |
| Burton, John | Lantos | Skelton |
| Carman | Leach | Smith (AL) |
| Chapple | Lee | Smith (PA) |
| Chisholm | Lehman | Stangeland |
| Clausen | Lent | Stanton |
| Coats | Long (LA) | Stark |
| Collins (IL) | Long (MD) | Stokes |
| Collins (TX) | Luken | Swift |
| Coyne, James | Lundine | Synar |
| Crane, Phillip | Markay | Tauzin |
| Crockett | Marks | Traxler |
| D'Amours | Martin (NC) | Trible |
| Davis | Mattox | Udall |
| Deckard | McCloskey | Vander Jagt |
| DeNardis | McDade | Walgren |
| Derrick | McKinney | Washington |
| Dorgan | Mikulski | Waxman |
| Dunn | Mineta | Weaver |
| Dymally | Mitchell (NY) | Weber (MN) |
| Early | Moakley | Weiss |
| Emery | Moffett | Whitehurst |
| Ertel | Moore | Whittaker |
| Evans (DE) | Motti | Whitten |
| Evans (GA) | Napier | Williams (MT) |
| Fascell | Neal | Williams (OH) |
| Ferraro | Nelson | Winn |
| Fields | Nichols | Wirth |
| Findley | O'Brien | Wortley |
| Florio | Ottinger | Wright |
| Foley | Oxley | Yates |
| Forsythe | Pashayan | Yatron |
| Frank | Peyser | Young (AK) |
| Fuqua | Pickle | Young (FL) |
| Gephardt | Price | Zeperetti |
| Goldwater | Pritchard | |
| Gradison | Pursell | |

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Messrs. ALBOSTA, FORD of Michigan, MICHEL, WILSON, MADIGAN, RANGEL, ANDREWS, DREIER,